

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FILED IN OPEN COURT  
ON 12/21/16  
Julie R. Johnson, Clerk  
US District Court  
Eastern District of NC

NO. 5:15-CR-372-1H

UNITED STATES OF AMERICA )

v. )

SUPERSEDING INDICTMENT

GENESIS LEE WHITTED, Jr. )

a/k/a "Gen" )

a/k/a "Juice Man" )

The Grand Jury charges that:

COUNT ONE

21 U.S.C. § 846

(Conspiracy to Distribute and Possess with  
Intent to Distribute Cocaine Base)

Beginning in or about 2015, the exact date being unknown to the Grand Jury, and continuing up to and including December 15, 2015, in the Eastern District of North Carolina, and elsewhere, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally combine, conspire, confederate, agree, and have a tacit understanding with other persons, known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with the intent to distribute a mixture and substance containing twenty-eight (28) grams or more of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Controlled Substances Involved in the Conspiracy

With respect to GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is twenty-eight (28) grams or more of cocaine base, in violation of Title 21, United States Code, Section 841(b) (1) (B).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

18 U.S.C. § 924(c) (1) (A)  
(Possessing a Firearm in Furtherance Of, and  
Brandishing a Firearm During and In Relation To,  
a Drug Trafficking Crime)

On or about December 2, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," did knowingly possess a firearm in furtherance of, and did knowingly use and carry a firearm during and in relation to, a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Conspiracy to Distribute and Possess with Intent to Distribute Cocaine Base, in violation of Title 21, United States Code, Section 846, as alleged in Count One of this Indictment, which is incorporated herein by reference, and said firearm was

brandished; all in violation of Title 18, United States Code, Sections 924(c)(1)(A), 924(c)(1)(A)(i), and 924(c)(1)(A)(ii).

COUNT THREE

21 U.S.C. § 841(a)(1)  
(Distribution of Cocaine Base)

On or about November 9, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2  
(Distribution of Cocaine Base and Aiding and Abetting)

On or about November 13, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and did aid and abet another in so doing, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FIVE  
21 U.S.C. § 841(a)(1)  
(Distribution of Cocaine Base)

On or about November 16, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX  
21 U.S.C. § 841(a)(1)  
(Distribution of Cocaine Base)

On or about November 18, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN

18 U.S.C. § 924(c)(1)(A)  
(Possession of a Firearm in Furtherance Of  
a Drug Trafficking Crime)

On or about November 18, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Distribution of Cocaine Base, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count Six of this Indictment, which is incorporated herein by reference; all in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(A)(i).

COUNT EIGHT

21 U.S.C. § 841(a)(1)  
(Distribution of Cocaine Base)

On or about November 24, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINE  
21 U.S.C. § 841(a)(1)  
(Distribution of Cocaine Base)

On or about November 30, 2015, in the Eastern District of North Carolina, GENESIS LEE WHITTED, JR., also known as "Gen," also known as "Juice Man," defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

### FORFEITURE NOTICE

The defendants are given notice of the provisions of Title 21 United States Code, Section 853, that all of their interest in all property specified herein is subject to forfeiture.

As a result of the foregoing offense, the defendants shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained directly or indirectly as a result of the said offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged, or any property traceable to such property.

In addition, upon conviction of one or more of the firearm offenses set forth in Counts Two and Seven of the Indictment, the defendants shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), as made applicable by Title 28, United States Code, Section 2461(c), any and all firearms or ammunition involved in or used in the commission of the offense(s).

If any of the above-described forfeitable property, as a result of any act or omission the defendants,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

A TRUE BILL:

**REDACTED VERSION**


Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

                      
FOREPERSON

DATE:

12.20.16

JOHN STUART BRUCE  
United States Attorney

  
BY: SCOTT A. LEMMON  
Assistant United States Attorney